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McGinn&Gibb, PLLC

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dryer et al.

Serial No.: 09/257,208

Group Art Unit: 2174

Filed: February 25, 1999

Examiner: Sax, S.

For: METHOD AND SYSTEM FOR REAL-TIME DETERMINATION OF A
SUBJECTS INTEREST LEVEL TO MEDIA CONTENT

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231
Box AF

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SECOND AMENDMENT UNDER 37 CFR §1.116

Sir:

Applicant notes that this Amendment is filed prior to filing Appellant's Appeal Brief, and is substantially identical to the Amendment filed herein on January 24, 2005. Applicant respectfully submits that the claim amendments included herein clearly do not raise new issues and serve to clarify the issues on appeal. Therefore, this Amendment should be entered.

In response to the Office Action dated November 22, 2004, please amend the above-identified application as follows: